

1 PAUL ANDRE (State Bar No. 196585)
 pandre@kramerlevin.com
 2 LISA KOBIALKA (State Bar No. 191404)
 lkobialka@kramerlevin.com
 3 JAMES HANNAH (State Bar No. 237978)
 jhannah@kramerlevin.com
 4 KRISTOPHER KASTENS (State Bar No. 254797)
 kkastens@kramerlevin.com
 5 KRAMER LEVIN NAFTALIS & FRANKEL LLP
 6 990 Marsh Road
 Menlo Park, CA 94025
 7 Telephone: (650) 752-1700
 Facsimile: (650) 752-1800
 8

9 Attorneys for Plaintiff
 FINJAN, INC.

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**
 13

14 FINJAN, INC., a Delaware Corporation,

15 Plaintiff,

16 v.

17 JUNIPER NETWORKS, INC., a Delaware
 18 Corporation,

19 Defendant.
 20

Case No.: 3:17-cv-05659-WHA

**PLAINTIFF FINJAN, INC.’S REPLY CLAIM
 CONSTRUCTION BRIEF**

Date: TBD

Time: 8:00 a.m.

Courtroom: Courtroom 12, 19th Floor

Before: Hon. William Alsup

TABLE OF CONTENTS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I. ARGUMENT 1

A. Terms in the ‘633 Patent 1

Term 1. “mobile protection code” (‘633 Patent, Claims 1, 8, 14 and 19) 1

Term 2. “A computer program product, comprising a computer usable medium having a computer readable program code therein, the computer readable program code adapted to be executed for computer security, the method comprising:” (‘633 Patent, Claim 14) 3

Term 3. “information-destination/downloadable-information destination” (‘633 Patent, Claims 1, 8, 14 and 19) 5

Term 4. “if the downloadable-information is determined to include executable code / determining, by the computer, whether the downloadable information includes executable code” (‘633 Patent, Claims 1 and 8) 7

B. Terms in the ‘844 Patent 8

Term 5. “inspector” (‘844 Patent, Claims 1, 15 and 41) 8

Term 6. “before a web server makes the Downloadable available to web clients” (Claims 1, 15, and 41) 10

C. Terms in the ‘926 Patent 11

Term 7. “a transmitter coupled with said receiver, for transmitting the incoming Downloadable and a representation of the retrieved Downloadable security profile data to a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

destination computer, via a transport protocol transmission”
('926 Patent, Claim 22) 11

D. Terms in the '154 Patent 13

Term 8. “A content processor (i) for processing content received
over a network the content including a call to a first
function, and the call including an input, and (ii) for
invoking a second function with the input, only if a security
computer indicates that such invocation is safe” ('154
Patent, Claim 1) 13

Term 9 “invoking a second function with the input”
('154 Patent, Cl. 1) 14

Term 10. “safe” ('154 Patent, Claim 1) 15

II. Conclusion 15

TABLE OF AUTHORITIES

Page(s)

Federal Cases

Accent Packaging, Inc. v. Leggett & Platt, Inc.,
707 F.3d 1318 (Fed. Cir. 2013)..... 12, 14

Aventis Pharms. Inc. v. Amino Chems. Ltd.,
715 F.3d 1363 (Fed. Cir. 2013)..... *passim*

Avid Tech., Inc. v. Harmonic, Inc.,
812 F.3d 1040 (Fed. Cir. 2016)..... 7, 8, 9

In re Beauregard,
53 F.3d 1583 (Fed. Cir. 1995)..... 4, 5

Cadence Pharm. Inc. v. Exela PharmSci Inc.,
780 F.3d 1364 (Fed. Cir. 2015)..... 12

CBT Flint Partners, LLC v. Return Path, Inc.,
654 F.3d 1353 (Fed. Cir. 2011)..... 3, 4

Edwards Life Sciences LLC v. Cook Inc.,
582 F.3d 1322 (Fed. Cir. 2009)..... 15

EPOS Techs. Ltd. v. Pegasus Techs. Ltd.,
766 F.3d 1338 (Fed. Cir. 2014)..... 12

Finjan, Inc. v. Blue Coat Sys., Inc.,
879 F.3d 1299 (Fed. Cir. 2018)..... 10

Finjan, Inc. v. Blue Coat Sys., Inc.,
No. 13-cv-03999-BLF, 2014 WL 5361976 (N.D. Cal. Oct. 20, 2014)..... 3, 4, 5, 6

Finjan, Inc. v. Cisco Systems, Inc.,
No. 17-cv-00072-BLF, 2018 WL 3537142 (N.D. Cal. July 23, 2018)..... 11

Finjan, Inc. v. Proofpoint, Inc.,
No. 13-cv-05808-HSG, 2015 WL 7770208 (N.D. Cal. Dec. 3, 2015)..... 5, 15

IPXL Holdings, LLC v. Amazon.com, Inc.,
430 F.3d 1377 (Fed. Cir. 2005)..... 3, 5

Medtronic Inc. v. Boston Scientific Corp.,
695 F.3d 1266 (Fed. Cir. 2012)..... 12

1	<i>Nautilus, Inc. v. Biosig Instruments, Inc.</i> , 134 S. Ct. 2120 (2014).....	3, 5
2		
3	<i>Novo Indus., L.P. v. Micro Molds Corp.</i> , 350 F.3d 1348 (Fed. Cir. 2003).....	4
4		
5	<i>Rembrandt Wireless Tech LP v. Samsung Elecs. Co., Ltd.</i> , 853 F.3d 1370 (Fed. Cir. 2017).....	15
6		
7	<i>Thorner v. Sony Computer Entm't Am. LLC</i> , 669 F.3d 1362 (Fed. Cir. 2012).....	9
8		
9	<i>Vitronics Corp. v. Conceptronic, Inc.</i> , 90 F.3d 1576 (Fed. Cir. 1996).....	2
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.